

@public-notice

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A LARGE
MINING AND RECLAMATION PLAN
FOR EARTH ENERGY RESOURCES, INC.,
PR SPRING MINE

:

NOTICE OF TENTATIVE
DECISION TO APPROVE

:

:

NO. M/047/0090

UINTAH AND GRAND COUNTIES, UTAH

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Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Notice of Intention to Commence Large Mining Operations for Earth Energy Resources, Inc., PR Springs Mine. Mining activities will affect the following area: Portions of Sections 35 and 36, Township 15 South, Range 23 East, and Sections 31 and 32, Township 15.5 South, Range 24 East, SLBM, Uintah and Grand Counties, Utah.

Earth Energy Resources, Inc. has submitted a permit application to expand an existing small mining project to a large mining operation. Reclamation surety will be provided to the Division for the proposed project disturbance. The operator will employ the following mining and reclamation techniques on approximately 213 acres of State and Private land.

During Operations: Earth Energy Resources will create two overburden stockpiles from the waste rock as valley filled dumps, but future mine expansion will backfill the previous mine pits. Pit slope angles will not exceed 2H to 1V. Bitumen is the product from the processing of the native tars/asphaltic material. Bitumen products are anticipated to be stored on site awaiting sale and off site transportation. The process train is designed to accommodate 3,000-3,5000 tons of ore per day, producing approximately 2,000 bbl/day of bitumen. There will be no discharge from the process pond. Sediment controls will be used in remote areas. Air quality will be protected through best management practices as discussed in the Notice of Intention, and the EPA has now determined the mine is not subject to New Source Performance Standards Subpart Ja.

After Operations: All processing facilities will be removed following mining and either recycled or hauled to a disposal facility. The mine dumps will be graded down to slopes less steep than 2.5H to 1V. Other areas will also be graded to slopes that blend with surrounding areas. Following regrading, disturbed areas will be covered with about six inches of soil and seeded with a mix that includes both native and introduced species adapted to the area.

The person representing the company is Mr. Barclay Cuthbert; Phone (403) 233-9366. Earth Energy Resources is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Dana Dean, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint and if a hearing is desired. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 30th day of MARCH, 2010

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



Dana Dean, P.E.
Associate Director, Mining

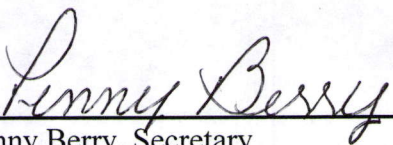
CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Earth Energy Resources, Inc. PR Springs Mine project, M/047/0090 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 23 day of March, 2010 to:

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Penny Berry, Secretary

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